## REMARKS

Claims 1-8 and 10-17 are pending. Claims 9 and 18-41 are withdrawn. Claims 42-45 are newly added. No claims are cancelled.

Claims 1-6, 8, 10, 12-13 and 15-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 6,309,370 issued to Haim et al. Claim 1 is directed to a catheter that includes "a catheter body that defines an inner lumen." The catheter also includes "a probe within the inner lumen that delivers fluid to a tissue site of a patient...and at least one electrode coupled to the catheter to detect contact between the catheter and the tissue site." "[A]n electrical stimulus to the tissue site is generated through the at least one electrode and the probe."

Haim is directed to an intracardiac drug catheter. The Haim catheter is inserted into a chamber of the heart and brought into engagement with a site in the heart wall. The catheter includes a position sensor, which generates signals responsive to the position of the catheter within the heart, and a drug delivery device, which administers a desired dose of a therapeutic drug at the site determined responsive to the signals from the position sensor. Nowhere in Haim does it disclose, teach or suggest "an electrical stimulus to the tissue site is delivered through the at least one electrode and the probe" as in claim 1.

Claims 1-6, 8, 10, 12-13 and 15-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 6,835,193 issued to Epstein et al. Epstein is directed to a flexible tissue injection catheter. The catheter is used to inject at a precisely controlled depth of precisely controlled volumes of a therapeutic or diagnostic agent into an interior body cavity, such as the epicardium or myocardium of the heart. Nowhere in Epstein does it disclose, teach or suggest "an electrical stimulus to the tissue site is delivered through the at least one electrode and the probe" as in claim 1.

Claims 7, 11, and 14 are rejected under 35 U.S.C. §103(a) based upon Heim or Epstein in view of US Pat. No. 5,807,395 issued to Mulier et al. in which Mulier involves RF ablation. Mulier is directed to, in one embodiment, "the

infusion of conducting fluid into the area of ablation or hyperthermia prior to and during the application of RF energy creates what is referred to herein as a "virtual electrode," the size and shape of which can be controllably modified, and which can be rendered more or less conductive, thereby modifying the spread of RF energy… ." Applicants respectfully assert that the combined references fails to teach or suggest "an electrical stimulus to the tissue site is delivered through the at least one electrode and the probe" as in claim 1. Withdrawal of the instant rejections and issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date

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